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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,825	01/26/2004	George Alexander Burnett	SC 081 CIP	6904

7590 06/10/2005

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16690 Champion Forest Drive
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EXAMINER

HOPKINS, ROBERT A

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/764,825

Applicant(s)

BURNETT ET AL.

Examiner

Robert A. Hopkins

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-26 is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 13-18 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Reddoch(6763605).

Reddoch teaches a method for removing drilled cuttings material, the drilled cuttings material including drilled cuttings and drilling fluid, the method comprising feeding the drilled cuttings material to cuttings processor apparatus, the cuttings processor apparatus comprising rotating annular screen apparatus(10), processing the drilled cuttings with the cuttings processor producing processed drilled cuttings and secondary material, the secondary material including drilled cuttings and drilling fluid, the processed drilled cuttings including drilling fluid, conveying with fluid under positive pressure(column 4 lines 32-36) processed drilled cuttings from the cuttings processor to flow conduit apparatus, applying air under positive pressure to the flow conduit apparatus to continuously move the processed drilled cuttings therethrough, continuously moving the processed drilled cuttings with the air under pressure to

separation apparatus(further processing; column 4 line 35), with the separation apparatus continuously separating drilled cuttings from the air.

Claims 19 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Reddoch(6763605).

Reddoch teaches a system for moving drilled cuttings comprising movement apparatus for moving drilled cuttings, cuttings processor apparatus(10) for receiving drilled cuttings from the movement apparatus and for processing the drilled cuttings for feed to tank apparatus, the cuttings processor apparatus including rotating annular screen apparatus, tank apparatus for receiving drilled cuttings from the cuttings processor apparatus, flow conduit apparatus for receiving drilled cuttings from the tank apparatus, pressurized fluid apparatus(column 4 lines 32-36) for applying air under positive pressure to the drilled cuttings and for continuously moving the drilled cuttings through flow conduit apparatus to separation apparatus(further processing ; column 4 line 35), and separation apparatus for continuously receiving the drilled cuttings through the flow conduit apparatus, the separation apparatus for separating drilled cuttings from air.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lopez(2004/0139866) taken together with Hensley et al(6432299).

Lopez teaches a method for moving drilled cuttings from an offshore rig(12) located in water to a boat(58) in the water adjacent the offshore rig, the drilled cuttings laden with drilling fluid , the method comprising feeding drilled cuttings from a drilling operation(20,24) to a cuttings processor(38), processing the drilled cuttings with the cuttings processor producing processed drilled cuttings and secondary material, the secondary material including drilled cuttings and drilling fluid, the processed drilled cuttings including drilling fluid, feeding the processed drilled cuttings from the cuttings processor(38) to positive pressure blow tank apparatus(pneumatic conveying system 54) , the positive pressure blow tank apparatus having a tank which receives the processed drilled cuttings from the cuttings processor, feeding the secondary material from the cuttings processor to secondary apparatus(42), and supplying air under pressure(pneumatic system) to the tank of the positive pressure blow tank apparatus for expelling drilled cuttings from the tank and propelling the drilled cuttings to tertiary apparatus(56). Lopez is silent as to the cuttings processor comprising a rotating annular screen apparatus. Hensley teaches a process of moving drilled cuttings comprising feeding drilled cuttings from a shale shaker apparatus(column 1 lines 35-36) to a cuttings processor(10), wherein the cuttings processor comprises a rotating annular screen apparatus(column 3 lines 37-40). It would have been obvious to someone of ordinary skill in the art at the time of the invention to substitute a rotating annular screen apparatus as the cuttings processor for the vertical or horizontal cuttings processor of

Art Unit: 1724

Lopez to provide a screen which rotates at a high rate of speed to remove liquid from the slurry by centrifugal force(column 2 lines 50-53 of Hensley) and wherein the cuttings processor reduces the weight of drilled cuttings.

Lopez further teaches wherein the tertiary apparatus is a storage apparatus. Lopez further teaches wherein the tertiary apparatus includes a secondary positive pressure blow tank apparatus(pneumatic system) for facilitating movement of the drilled cuttings from the storage apparatus. Lopez further teaches wherein drilled cuttings from the positive pressure blow tank apparatus are fed in a line to the tertiary apparatus, the line having at least one positive pressure air assist device for facilitating movement of drilled cuttings through the line, and facilitating drilled cuttings movement through the line with the at least one positive pressure air assist device. Lopez further teaches wherein the secondary apparatus is a decanting centrifuge apparatus(42), producing secondary drilling fluid and secondary drilled cuttings. Lopez further teaches recycling the secondary drilling fluid for reuse in the drilling operation. Lopez further teaches feeding the secondary drilled cuttings to mill apparatus(43) for breaking up agglomerations of the secondary drilled cuttings, and feeding secondary drilled cuttings to the positive pressure blow tank apparatus. Lopez further teaches prior to feeding the drilled cuttings to from the cuttings apparatus(38) to the positive pressure blow tank apparatus(54), feeding the drilled cuttings to mill apparatus(52) to break up agglomerations of the drilled cuttings and then feeding the drilled cuttings from the mill to the positive pressure blow tank apparatus.

Allowable Subject Matter

Claims 20-26 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 20 recites "applying a compressed gas to the vessel to cause the produced material to flow out of the vessel, the vessel including a conical hopper portion which, at least during the discharge of the produced material, forms the lower section of the vessel and the cone angle is below a critical value required to achieve mass flow of the produced material". Lopez teaches a pneumatic conveying system for causing produced material to flow to a secondary apparatus, but does not teach that the lower section of a vessel includes a conical hopper portion and at least during the discharge of the produced material, forms the lower section of the vessel and the cone angle is below a critical value required to achieve mass flow of the produced material. It would not have been obvious to someone of ordinary skill in the art to include a vessel which includes a conical hopper portion and at least during the discharge of the produced material, forms the lower section of the vessel and the cone angle is below a critical value required to achieve mass flow of the produced material because Lopez does not suggest such a modification. Claims 21-26 depend on claim 20 and hence is also allowed.

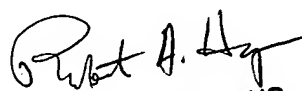
Art Unit: 1724

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Hopkins whose telephone number is 571-272-1159. The examiner can normally be reached on Monday-Friday, 7am-4pm, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rah
June 8, 2005


ROBERT A. HOPKINS
PRIMARY EXAMINER
A.U. 1724